## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

## **CRIMINAL CASE NO. 1:11cr10**

UNITED STATES OF AMERICA,	)	
	)	
	)	
vs.	)	ORDER
	)	
	)	
JAMES W. "BILL" BAILEY, JR.	)	
	)	

**THIS MATTER** is before the Court on the Petition of Christine Julian-DeBaltzo [Doc. 171], filed on April 11, 2011.

A petition filed by a third party claiming interest in property which has been ordered forfeited to the United States must "be signed by the petitioner under penalty of perjury." 21 U.S.C. § 853(n)(3). "A claimant who fails to file a verified statement has no standing to contest a forfeiture." <u>United States v. Loria</u>, No. 3:08cr233-2, 2009 WL 3103771, at \*2 (W.D.N.C. Sep. 21, 2009) (quoting <u>United States v. \$487,825,000 in U.S. Currency</u>, 484 F.3d 662, 664-65 (3d Cir. 2007)). The petition filed in the instant case is not verified by the alleged claimant. Unless the required verification is filed within fourteen days of the entry of this Order, the claimant's petition shall be dismissed.

Accordingly, IT IS, THEREFORE, ORDERED that Christine Julian-DeBaltzo shall file a verification of her petition within fourteen (14) days of the entry of this Order. The claimant is advised that failure to file the required verification will result in the dismissal of her petition.

## IT IS SO ORDERED.

Signed: April 15, 2011

Dennis L. Howell United States Magistrate Judge